

REMARKS

Claims 1-30 are pending in the application. Claims 1, 9, 13, 16, 24 and 28 are independent claims. Claims 1-30 stand rejected. Applicants herein amend claim 1. Further review and consideration is respectfully requested.

Claim Objections

Claim 1 stands rejected to because of an informality. Applicants have amended claim 1 and respectfully submit that the objection is overcome.

Statement of Common Ownership

Application 10/401,214 to Narayanan and Application No. 10/692,515 to Applicants were, at the time the invention of the present application was made, owned by Microsoft Corporation. This statement is evidenced by the copies of the Assignment records for both Application 10/401,214 to Narayanan and Application No. 10/692,515 to Applicants submitted herewith.

Claim Rejections 35 USC §103

Claims 1, 2, 5-9, 13-17, 20-24, and 28-30 stand rejected under 35 U.S.C. 103(a) over U.S. Patent No. 6,694,336 (“Multer”) in view of U.S. Application No. 10/401,214 (“Narayanan”).

With respect to claim 1, Applicants respectfully submit that Narayanan can not be used as prior art in combination with Multer under 35 U.S.C. § 103(c) which states that “subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.” As stated above, Narayanan and the present application were assigned to Microsoft Corporation at the time they were invented and since Narayanan is not prior art under subsection (a), (b), or (c) of section 102 it can not be used in a 35 U.S.C. § 103(a) rejection.

In the Office Action the Examiner admitted that Multer fails to teach “each instance of the storage platform including a base schema and a mechanism configured to extend the base schema to define a schema for the data, and divide the data into programmably defined change units based on the schema for the data, wherein a change unit is a smallest piece of schema that is individually tracked by each instance of the storage platform and the size of a change unit is adjustable.” Since Multer fails to teach at least the above stated element, and the use of Narayanan is improper, Applicants respectfully request reconsideration of the rejection of claim 1.

Independent claims 9, 13, 16, 24 and 28 recite similar elements to that of claim 1 and patentably define over the art of record for at least similar reasons as claim 1. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 9, 13, 16, 24 and 28.

Dependent claims 2-8, 10-12, 14, 15, 17-23, 25-27, 29 and 30 depend directly or indirectly from claims 1, 9, 13, 16, 24 or 28 and patentably define over the art of record for at least similar reasons as claim 1. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 2-8, 10-12, 14, 15, 17-23, 25-27, 29 and 30.

DOCKET NO.: MSFT-2844/306723.01
Application No.: 10/692,515
Office Action Dated: October 24, 2003

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

CONCLUSION

In the view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the application for any reason, the Examiner is encouraged to contact Applicants' representative.

Date: March 5, 2008

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Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10401214 **Filing Dt:** 03/27/2003

Publication #: 20040193952 **Pub Dt:** 09/30/2004

Inventors: Charumathy Narayanan, Ram P. Singh, Jeffrey B. Parham

Title: Consistency unit replication in application-defined systems

Assignment: 1

Reel/Frame: 013916/0779

Recorded: 03/27/2003

Pages: 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10692515 **Filing Dt:** 10/24/2003

Publication #: [20050044108](#) **Pub Dt:** 02/24/2005

Inventors: Ashish Shah, Irena Hudis, Darshatkumar Shah, Lev Novjk, Vivek Jawahir Jhaveri

Title: Systems and methods for providing synchronization services for units of information manageable by a hardware/software interface system

Assignment: 1

Reel/Frame: [015363/0983](#)

Recorded: 05/24/2004

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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